

DETERMINING HEIRS OF DECEASED INDIAN ALLOTTEES HAVING ANY
RIGHT, TITLE, OR INTEREST IN ANY TRUST OR RESTRICTED PROP-
ERTY, ETC.

DECEMBER 17, 1920.—Committed to the Committee of the Whole House on the state
of the Union and ordered to be printed.

Mr. SNYDER, from the Committee on Indian Affairs, submitted the
following

REPORT.

[To accompany H. R. 15163.]

The Committee on Indian Affairs, to whom was referred H. R. 15163,
having carefully considered the same, recommend that it do pass,
with amendments.

The amendments are as follows:

Page 1, line 6, after the word "hereby," insert the words "author-
ized to be."

Page 1, line 6, after the word "appropriated," insert the word
"annually."

Page 1, line 6, strike out the word "under."

Page 1, line 7, strike out the words "regulations prescribed by the
Secretary of the Interior."

Page 1, line 8, strike out the words "sum of" and insert in lieu
thereof the words "not to exceed."

Page 1, line 9, after the word "Interior," strike out the words "is
hereby" and insert in lieu thereof the words "may be."

Page 1, line 10, after the figures "\$30,000," insert the words "of
any sum so appropriated."

Page 1, line 11, after the word "of" strike out the words "seven
law clerks" and insert the words "additional employees."

Page 1, line 11, after the word "the" insert the words "Bureau
of."

Page 1, line 11, after the word "Indian" strike out the word
"office" and insert the word "Affairs" in lieu thereof.

Page 2, line 2, after the word "wills" strike out the words "and
that a minimum salary of \$2,250 and a maximum salary of \$2,750
per annum, according to experience and ability, shall be paid all
such clerks now employed whose duties require knowledge and

application of the laws of descent and distribution out of the \$100,000 appropriated herein."

Page 2, line 8, strike out the word "three" and insert in lieu thereof the word "seven."

Page 2, line 9, after the word "each," strike out the words "two law clerks at \$2,010 each; two law clerks at \$2,010 each; and that said law clerks be designated masters in probate," and insert the words "and five stenographic clerks, at \$1,400 each."

Page 2, line 24, after the word "Provided," insert the word "however."

So that the bill will read:

A BILL To determine the heirs of deceased Indian allottees having any right, title, or interest in any trust or restricted property, and so forth

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of determining the heirs of deceased Indian allottees having any right, title, or interest in any trust or restricted property, and the settlement of claims against said estates, there is hereby authorized to be appropriated annually, not to exceed \$100,000, reimbursable as provided by existing law: *Provided,* That the Secretary of the Interior may be authorized to use not to exceed \$30,000 of any sum so appropriated for the employment of additional employees in the Bureau of Indian Affairs in connection with the work of determining the heirs of deceased Indians and examining their wills, as follows: Chief of probate, \$2,750; assistant chief of probate, \$2,500; seven law clerks at \$2,010 each; and seven stenographic clerks at \$1,400 each: *Provided further,* That hereafter, upon a determination of the heirs to any trust or restricted Indian property of the value of more than \$250, or to any allotment, or after approval by the Secretary of the Interior of any will covering such trust or restricted property, there shall be paid by such heirs, or by the beneficiaries under such will, or from the estate of the decedent, or from the proceeds of sale of the allotment, or from any trust funds belonging to the estate of the decedent the sum of \$15 where the appraised value of the estate of the decedent does not exceed the sum of \$1,500. Where the appraised value of the estate of the decedent is more than \$1,500, there shall be paid 1 per centum of the appraised value of the estate of the decedent: *Provided, however,* That the maximum fee in any one case shall not exceed \$1,000, which amount shall be accounted for and paid into the Treasury of the United States; and a report shall be made annually to Congress by the Secretary of the Interior on or before the first Monday in December of all moneys collected and deposited as herein provided: *And provided further,* That the provisions of this paragraph shall not apply to the Osage Indians nor to the Five Civilized Tribes of Oklahoma.

Your committee, in the investigation of Indian affairs as authorized by the House, brought to light the fact that the activity in the matter of determining Indian heirs and their rights, titles, and interest in any trust or restricted property, could be made self-supporting. Heretofore this item has been carried as reimbursable, but the Government was not being reimbursed under the law which was created for that purpose and which produced some splendid results but did not accomplish what was expected in the matter of the reimbursement for determining the heirs of deceased Indian allottees. This bill will fully accomplish that purpose, reduce the cost of the work, and create a surplus fully equal to reimburse it and properly compensate the attorneys who do the work. In 1920, \$100,000 was appropriated for this work, and but \$98,700 was collected therefor, leaving a deficit of \$1,300. Under this proposed new system it is estimated that the fees collected will reach the sum of \$155,673, which would show a surplus over the appropriation of \$100,000 of \$55,673.

For this reason and on this showing your committee recommends the enactment of the measure.